

(b) This chapter does not prohibit or punish the providing of lawful, bona fide, legal representation services in connection with or anticipation of an official proceeding.

(Added Pub. L. 97-291, §4(a), Oct. 12, 1982, 96 Stat. 1252; amended Pub. L. 99-646, §50(b), Nov. 10, 1986, 100 Stat. 3605; Pub. L. 100-690, title VII, §7029(b), (d), Nov. 18, 1988, 102 Stat. 4398; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 103-322, title XXXII, §320604(a), Sept. 13, 1994, 108 Stat. 2118.)

AMENDMENTS

1994—Subsec. (a)(1)(D). Pub. L. 103-322 added subpar. (D).

1992—Subsec. (a)(1)(A). Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims Court”.

1988—Subsec. (a)(1)(A). Pub. L. 100-690, §7029(b), inserted “a judge of the United States Tax Court, a special trial judge of the Tax Court, a judge of the United States Claims Court,” after “bankruptcy judge.”

Subsec. (a)(6). Pub. L. 100-690, §7029(d), added par. (6).

1986—Pub. L. 99-646 inserted “; general provision” in section catchline, designated existing provisions as subsec. (a), and added subsec. (b).

CHANGE OF NAME

Reference to United States magistrate or to magistrate deemed to refer to United States magistrate judge pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section effective Oct. 12, 1982, see section 9(a) of Pub. L. 97-291, set out as a note under section 1512 of this title.

§ 1516. Obstruction of Federal audit

(a) Whoever, with intent to deceive or defraud the United States, endeavors to influence, obstruct, or impede a Federal auditor in the performance of official duties relating to a person receiving in excess of \$100,000, directly or indirectly, from the United States in any 1 year period under a contract or subcontract, shall be fined under this title, or imprisoned not more than 5 years, or both.

(b) For purposes of this section—

(1) the term “Federal auditor” means any person employed on a full- or part-time or contractual basis to perform an audit or a quality assurance inspection for or on behalf of the United States;¹

(2) the term “in any 1 year period” has the meaning given to the term “in any one-year period” in section 666.

(Added Pub. L. 100-690, title VII, §7078(a), Nov. 18, 1988, 102 Stat. 4406; amended Pub. L. 103-322, title XXXII, §320609, Sept. 13, 1994, 108 Stat. 2120.)

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-322 substituted “section—” for “section”, inserted “(1)” before “the term”,

¹ So in original. Probably should be followed by “and”.

substituted semicolon for the period at end, and added par. (2).

§ 1517. Obstructing examination of financial institution

Whoever corruptly obstructs or attempts to obstruct any examination of a financial institution by an agency of the United States with jurisdiction to conduct an examination of such financial institution shall be fined under this title, imprisoned not more than 5 years, or both.

(Added Pub. L. 101-647, title XXV, §2503(a), Nov. 29, 1990, 104 Stat. 4861.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3059A of this title; title 12 sections 1785, 1829, 4204, 4224.

CHAPTER 75—PASSPORTS AND VISAS

Sec.

- 1541. Issuance without authority.
- 1542. False statement in application and use of passport.
- 1543. Forgery or false use of passport.
- 1544. Misuse of passport.
- 1545. Safe conduct violation.
- 1546. Fraud and misuse of visas, permits, and other documents.
- 1547. Alternative imprisonment maximum for certain offenses.

AMENDMENTS

1994—Pub. L. 103-322, title XIII, §130009(b), Sept. 13, 1994, 108 Stat. 2030, added item 1547.

1986—Pub. L. 99-603, title I, §103(b), Nov. 6, 1986, 100 Stat. 3380, amended item 1546 generally, striking out “entry” before “documents”.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 3291 of this title.

§ 1541. Issuance without authority

Whoever, acting or claiming to act in any office or capacity under the United States, or a State or possession, without lawful authority grants, issues, or verifies any passport or other instrument in the nature of a passport to or for any person whomsoever; or

Whoever, being a consular officer authorized to grant, issue, or verify passports, knowingly and willfully grants, issues, or verifies any such passport to or for any person not owing allegiance, to the United States, whether a citizen or not—

Shall be fined under this title, imprisoned not more than 10 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 771; Sept. 13, 1994, Pub. L. 103-322, title XIII, §130009(a)(1), title XXXIII, §330016(1)(G), 108 Stat. 2030, 2147.)

HISTORICAL AND REVISION NOTES

Based on section 219 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (R.S. 4078; June 14, 1902, ch. 1088, §3, 32 Stat. 386).

The venue provision, which followed the punishment provisions, was omitted as covered by section 3238 of this title.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, §330016(1)(G), which directed the amendment of this section by substituting “under this

title” for “not more than \$500”, could not be executed because the words “not more than \$500” did not appear in text subsequent to amendment by Pub. L. 103-322, §130009(a)(1). See below.

Pub. L. 103-322, §130009(a)(1), substituted “under this title, imprisoned not more than 10 years” for “not more than \$500 or imprisoned not more than one year” in last par.

CROSS REFERENCES

Limitations, period of, see section 3291 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3291 of this title.

§ 1542. False statement in application and use of passport

Whoever willfully and knowingly makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

Whoever willfully and knowingly uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement—

Shall be fined under this title, imprisoned not more than 10 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 771; Sept. 13, 1994, Pub. L. 103-322, title XIII, §130009(a)(2), title XXXIII, §330016(1)(I), 108 Stat. 2030, 2147.)

HISTORICAL AND REVISION NOTES

Based on section 220 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title IX, §2, 40 Stat. 227; Mar. 28, 1940, ch. 72, §7, 54 Stat. 80).

Mandatory-punishment provision was rephrased in the alternative.

Punishment of five years' imprisonment was substituted for “ten years” to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, §330016(1)(I), which directed the amendment of this section by substituting “under this title” for “not more than \$2,000”, could not be executed because the words “not more than \$2,000” did not appear in text subsequent to amendment by Pub. L. 103-322, §130009(a)(2). See below.

Pub. L. 103-322, §130009(a)(2), substituted “under this title, imprisoned not more than 10 years” for “not more than \$2,000 or imprisoned not more than five years” in last par.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

False statements, generally, see section 1001 of this title.

Jurisdiction of offenses, see section 3241 of this title.

Letters, writings, etc., in violation of this section as nonmailable, see section 1717 of this title.

Limitations, period of, see section 3291 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 14, 1717, 3291 of this title.

§ 1543. Forgery or false use of passport

Whoever falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument

purporting to be a passport, with intent that the same may be used; or

Whoever willfully and knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same—

Shall be fined under this title, imprisoned not more than 10 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 771; Sept. 13, 1994, Pub. L. 103-322, title XIII, §130009(a)(2), title XXXIII, §330016(1)(I), 108 Stat. 2030, 2147.)

HISTORICAL AND REVISION NOTES

Based on section 222 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title IX, §4, 40 Stat. 227; Mar. 28, 1940, ch. 72, §7, 54 Stat. 80).

Reference to persons causing or procuring was omitted as unnecessary in view of definition of “principal” in section 2 of this title.

Mandatory-punishment provision with authorization for added fine in discretion of court was rephrased in the alternative.

Punishment of five years' imprisonment was substituted for “ten years” to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, §330016(1)(I), which directed the amendment of this section by substituting “under this title” for “not more than \$2,000”, could not be executed because the words “not more than \$2,000” did not appear in text subsequent to amendment by Pub. L. 103-322, §130009(a)(2). See below.

Pub. L. 103-322, §130009(a)(2), substituted “under this title, imprisoned not more than 10 years” for “not more than \$2,000 or imprisoned not more than five years” in last par.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Jurisdiction of offenses, see section 3241 of this title.

Letters, writings, etc., in violation of this section as nonmailable, see section 1717 of this title.

Limitations, period of, see section 3291 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 14, 1717, 3291 of this title.

§ 1544. Misuse of passport

Whoever willfully and knowingly uses, or attempts to use, any passport issued or designed for the use of another; or

Whoever willfully and knowingly uses or attempts to use any passport in violation of the conditions or restrictions therein contained, or of the rules prescribed pursuant to the laws regulating the issuance of passports; or

Whoever willfully and knowingly furnishes, disposes of, or delivers a passport to any person, for use by another than the person for whose use it was originally issued and designed—

Shall be fined under this title, imprisoned not more than 10 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 771; Sept. 13, 1994, Pub. L. 103-322, title XIII, §130009(a)(2), title XXXIII, §330016(1)(I), 108 Stat. 2030, 2147.)

HISTORICAL AND REVISION NOTES

Based on section 221 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (June 15, 1917, ch. 30, title IX, § 3, 40 Stat. 227; Mar. 28, 1940, ch. 72, § 7, 54 Stat. 80).

Mandatory-punishment provision rephrased in the alternative.

Punishment of five years' imprisonment was substituted for "ten years" to conform with other sections embracing offenses of comparable gravity.

The phrase "which said rules shall be printed on the passport" was omitted as inconsistent with administrative practice and because the existing rules are too voluminous to be printed on a passport.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, § 330016(1)(I), which directed the amendment of this section by substituting "under this title" for "not more than \$2,000", could not be executed because the words "not more than \$2,000" did not appear in text subsequent to amendment by Pub. L. 103-322, § 130009(a)(2). See below.

Pub. L. 103-322, § 130009(a)(2), substituted "under this title, imprisoned not more than 10 years" for "not more than \$2,000 or imprisoned not more than five years" in last par.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Jurisdiction of offenses, see section 3241 of this title. Letters, writings, etc., in violation of this section as nonmailable, see section 1717 of this title.

Limitations, period of, see section 3291 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 14, 1717, 3291 of this title.

§ 1545. Safe conduct violation

Whoever violates any safe conduct or passport duly obtained and issued under authority of the United States shall be fined under this title, imprisoned not more than 10 years, or both.

(June 25, 1948, ch. 645, 62 Stat. 771; Sept. 13, 1994, Pub. L. 103-322, title XIII, § 130009(a)(3), title XXXIII, § 330016(1)(I), 108 Stat. 2030, 2147.)

HISTORICAL AND REVISION NOTES

Based on section 251 of title 22, U.S.C., 1940 ed., Foreign Relations and Intercourse (R.S. 4062).

The punishment provision was rewritten to permit the alternative of a fine of not more than \$2,000 or imprisonment, or both, instead of imprisonment and fine "at the discretion of the court", to conform with other sections embracing offenses of comparable gravity.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, § 330016(1)(I), which directed the amendment of this section by substituting "under this title" for "not more than \$2,000", could not be executed because the words "not more than \$2,000" did not appear in text subsequent to amendment by Pub. L. 103-322, § 130009(a)(3). See below.

Pub. L. 103-322, § 130009(a)(3), substituted "under this title, imprisoned not more than 10 years" for "not more than \$2,000 or imprisoned not more than three years".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1547 of this title.

§ 1546. Fraud and misuse of visas, permits, and other documents

(a) Whoever knowingly forges, counterfeits, alters, or falsely makes any immigrant or non-immigrant visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, or utters, uses, attempts to use, possesses, obtains, accepts, or receives any such visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, knowing it to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained; or

Whoever, except under direction of the Attorney General or the Commissioner of the Immigration and Naturalization Service, or other proper officer, knowingly possesses any blank permit, or engraves, sells, brings into the United States, or has in his control or possession any plate in the likeness of a plate designed for the printing of permits, or makes any print, photograph, or impression in the likeness of any immigrant or nonimmigrant visa, permit or other document required for entry into the United States, or has in his possession a distinctive paper which has been adopted by the Attorney General or the Commissioner of the Immigration and Naturalization Service for the printing of such visas, permits, or documents; or

Whoever, when applying for an immigrant or nonimmigrant visa, permit, or other document required for entry into the United States, or for admission to the United States personates another, or falsely appears in the name of a deceased individual, or evades or attempts to evade the immigration laws by appearing under an assumed or fictitious name without disclosing his true identity, or sells or otherwise disposes of, or offers to sell or otherwise dispose of, or utters, such visa, permit, or other document, to any person not authorized by law to receive such document; or

Whoever knowingly makes under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement—

Shall be fined under this title or imprisoned not more than 10 years, or both.

(b) Whoever uses—

(1) an identification document, knowing (or having reason to know) that the document was not issued lawfully for the use of the possessor,

(2) an identification document knowing (or having reason to know) that the document is false, or

(3) a false attestation,

for the purpose of satisfying a requirement of section 274A(b) of the Immigration and Nationality Act, shall be fined under this title, imprisoned not more than 5 years, or both.

(c) This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a subdivision of a State, or of an intelligence agency of the United States, or any activity authorized under title V of the Organized Crime Control Act of 1970 (18 U.S.C. note prec. 3481).¹

(June 25, 1948, ch. 645, 62 Stat. 771; June 27, 1952, ch. 477, title IV, § 402(a), 66 Stat. 275; Oct. 18, 1976, Pub. L. 94-550, § 5, 90 Stat. 2535; Nov. 6, 1986, Pub. L. 99-603, title I, § 103(a), 100 Stat. 3380; Oct. 24, 1988, Pub. L. 100-525, § 2(c), 102 Stat. 2610; Nov. 29, 1990, Pub. L. 101-647, title XXXV, § 3550, 104 Stat. 4926; Sept. 13, 1994, Pub. L. 103-322, title XIII, § 130009(a)(4), (5), title XXXIII, § 330011(p), 108 Stat. 2030, 2145.)

HISTORICAL AND REVISION NOTES

Based on section 220 of title 8, U.S.C., 1940 ed., Aliens and Nationality (May 26, 1924, ch. 190, § 22, 43 Stat. 165).

Words “upon conviction thereof” were omitted as surplusage since punishment can be imposed only after a conviction.

Fine of \$10,000 was reduced to \$2,000 to conform with sections embracing offences of comparable gravity.

Minor changes were made in phraseology.

REFERENCES IN TEXT

The immigration laws, referred to in subsec. (a), are classified generally to chapter 12 (§ 1101 et seq.) of Title 8, Aliens and Nationality. See also section 1101(a)(17) of Title 8.

Section 274A(b) of the Immigration and Nationality Act, referred to in subsec. (b), is classified to section 1324a(b) of Title 8.

Title V of the Organized Crime Control Act of 1970, referred to in subsec. (c), is title V of Pub. L. 91-452, Oct. 15, 1970, 84 Stat. 933, which was set out as a note preceding section 3481 of this title, and was repealed by Pub. L. 98-473, title II, § 1209(b), Oct. 12, 1984, 98 Stat. 2163. See section 3521 et seq. of this title.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322, § 330011(p), amended directory language of Pub. L. 101-647, § 3550. See 1990 Amendment note below.

Pub. L. 103-322, § 130009(a)(4), substituted “10 years” for “five years” in concluding par.

Subsec. (b). Pub. L. 103-322, § 130009(a)(5), in concluding provisions, substituted “under this title, imprisoned not more than 5 years” for “in accordance with this title, or imprisoned not more than two years”.

1990—Subsec. (a). Pub. L. 101-647, § 3550, as amended by Pub. L. 103-322, § 330011(p), substituted “Shall be fined under this title” for “Shall be fined in accordance with this title” in concluding par.

1988—Pub. L. 100-525 amended Pub. L. 99-603. See 1986 Amendment note below.

1986—Pub. L. 99-603, as amended by Pub. L. 100-525, substituted “other documents” for “other entry documents” in section catchline, designated existing provisions as subsec. (a), substituted “permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States” for “or other document required for entry into the United States” and for “or document” in first par., substituted “in accordance with this title” for “not more than \$2,000” in concluding par., and added subsecs. (b) and (c).

1976—Pub. L. 94-550 inserted “, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, knowingly subscribes as true,” after “Whoever knowingly makes under oath” in fourth par. 1952—Act June 27, 1952, made section applicable to entry documents other than visas and permits.

EFFECTIVE DATE OF 1994 AMENDMENT

Section 330011(p) of Pub. L. 103-322 provided that the amendment made by that section is effective as of the date on which section 3550 of Pub. L. 101-647 took effect.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-525 effective as if included in enactment of Immigration Reform and Control Act of 1986, Pub. L. 99-603, see section 2(s) of Pub. L. 100-525, set out as a note under section 1101 of Title 8, Aliens and Nationality.

TRANSFER OF FUNCTIONS

Functions vested by law in Attorney General, Department of Justice, or any other officer or any agency of that Department, with respect to the inspection at regular inspection locations at ports of entry of persons, and documents of persons, entering or leaving the United States, were to have been transferred to Secretary of the Treasury by 1973 Reorg. Plan No. 2, § 2, eff. July 1, 1973, 38 F.R. 15932, 87 Stat. 1091, set out in the Appendix to Title 5, Government Organization and Employees. The transfer was negated by section 1(a)(1), (b) of Pub. L. 93-253, Mar. 16, 1974, 88 Stat. 50, which repealed section 2 of 1973 Reorg. Plan No. 2, eff. July 1, 1973.

CANAL ZONE

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Immigration visas and permits, see section 1201 et seq. of Title 8, Aliens and Nationality.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title; title 8 sections 1101, 1251, 1324a.

§ 1547. Alternative imprisonment maximum for certain offenses

Notwithstanding any other provision of this title, the maximum term of imprisonment that may be imposed for an offense under this chapter (other than an offense under section 1545)—

- (1) if committed to facilitate a drug trafficking crime (as defined in 929(a)) is 15 years; and
- (2) if committed to facilitate an act of international terrorism (as defined in section 2331) is 20 years.

(Added Pub. L. 103-322, title XIII, § 130009(a)(6), Sept. 13, 1994, 108 Stat. 2030.)

CHAPTER 77—PEONAGE AND SLAVERY

Sec.

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| 1581. | Peonage; obstructing enforcement. |
| 1582. | Vessels for slave trade. |
| 1583. | Enticement into slavery. |
| 1584. | Sale into involuntary servitude. |
| 1585. | Seizure, detention, transportation or sale of slaves. |
| 1586. | Service on vessels in slave trade. |
| 1587. | Possession of slaves aboard vessel. |
| 1588. | Transportation of slaves from United States. |

HISTORICAL AND REVISION NOTES

It was felt that further revision of this chapter should be considered at an opportune time for the same

¹ See References in Text note below.